



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

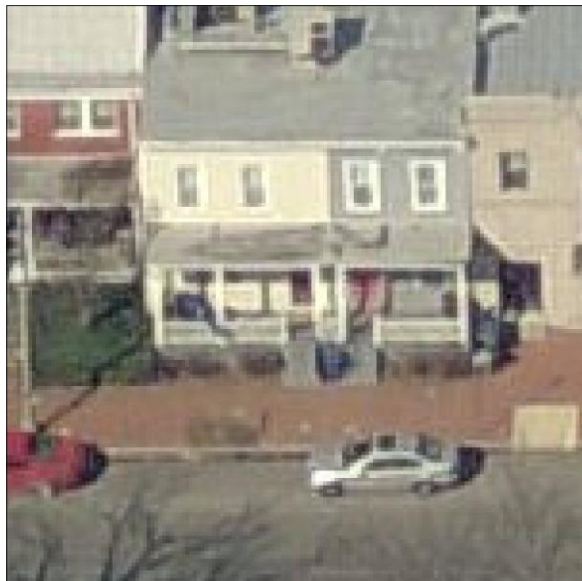
FROM: Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: July 5, 2011

SUBJECT: Extension Request – BZA Case 17509-B, 521-523 11th Street, S.E.

Applicant	Bernard L. Renard
Address	521-523 11 th Street, S.E.
Ward /ANC	Ward 6; ANC 6B
Project Summary	Subdivision of lot into two nonconforming lots, and renovation and modernization of the two row houses, including partial demolition and new construction to the rear of 521 11 th Street.
Date of Order Issuance	June 11, 2007
Previous Extension	April 8, 2009
Date of Order Expiration	June 11, 2011

PHOTO(S) OF SITE:



2007



(Google Street) 2011

EVALUATION OF THE EXTENSION REQUEST

Section 3130.6 of the Zoning Regulations allows for the extension of a BZA approval for “good case” shown upon the filing of a written request by the applicant before the expiration of the approval; provided that the BZA determines that the following requirements are met:



- (a) The extension request is served on all parties to the application by the applicant, and all parties are allowed thirty (30) days to respond.**

The application states that all parties to the original application were served, by first class mail, a copy of the application on May 9, 2011, which is more than thirty days in advance of the Board's review of the request for extension.

- (b) There is no substantial change in any of the material facts upon which the Board based its original approval of the application that would undermine the Board's justification for approving the original application.**

Zoning Regulations

There have been no changes to the zone district classification of the subject property.

Surrounding Development

There have been no significant projects approved since the previous approval was granted by the BZA.

Proposed Development

The application indicates that no substantial changes to the approved development are proposed as part of this extension request, only the reduction of the building height of the proposed addition by two feet.

- (c) The applicant demonstrates that there is good cause for such extension, with substantial evidence of one or more of the following criteria.**
- (1) An inability to obtain sufficient project financing due to economic and market conditions beyond the applicant's reasonable control;**
 - (2) An inability to secure all required governmental agency approvals by the expiration date of the Board's order because of delays that are beyond the applicant's reasonable control; or**
 - (3) The existence of pending litigation or such other condition, circumstance, or factor beyond the applicant's reasonable control.**

As a result of the economic conditions, the applicant has not been able to obtain the financing necessary for the construction of this project. Market conditions have made the construction of this project not feasible at this time. These factors are beyond the applicant's reasonable control.